

**Courtroom Minute Sheet**  
**ARRAIGNMENT/PLEA/CHANGE OF PLEA**  
**WAIVER OF INDICTMENT/PLEA PROCEEDINGS**

Date 8/14/09 Case No. 4:06CR 337CEJ  
UNITED STATES OF AMERICA vs. Gary Kaplan  
Judge Jackson Court Reporter Gary Bond  
Deputy Clerk K. Spurgeon Interpreter \_\_\_\_\_  
Assistant United States Attorney(s) Steve Holtshouser, Steve Machnick, Charles Birmingham  
Attorney(s) for Defendant Art Margalis, Sr., Dan Cogdell, Freeman Bosley, Jr.

**Arraignment/Waiver of Indictment/ Plea :**

Defendant's age 50 Education 11<sup>th</sup> Grade  
☐ Defendant waives assistance of counsel ☐ Waiver filed  
☐ Arraignment continued until \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.  
☐ Defendant signs waiver of indictment and consents to proceed by information  
☐ Criminal ☐ superseding ☐ information ☐ indictment filed  
☐ Defendant waives reading of indictment/information ☐ Defendant arraigned  
☐ Defendant enters a plea of ☐ GUILTY ☐ NOT GUILTY to counts \_\_\_\_\_ of the  
☐ superseding ☐ indictment ☐ information ☐ Pretrial Motions Order ☐ issued ☐ to issue

**Change of Plea:**

☒ The Court finds the defendant competent to enter a plea of guilty.  
☒ By leave of Court, the defendant withdraws former plea of not guilty and enters  
a plea of guilty to count(s) 1, 8, 17 of the ☐ superseding ☒ indictment ☐ information  
☒ Stipulation of facts relative to sentencing filed ☒ with ☐ without plea agreement  
☒ The Court adopts and approves ☒ Stipulation of Facts ☐ Plea Agreement  
☒ The Court defers the adoption of ☐ Stipulation of Facts ☒ Plea Agreement  
until the date of sentencing ☐ Stipulation/plea agreement filed under seal  
☒ Ordered that count(s) 2-7, 9-16 be held in abeyance until sentencing  
☐ Ordered that pending motions as to defendant \_\_\_\_\_ are denied as moot  
☒ Sentencing set 10/27/09 at 11:00 (a.m.)/p.m.  
☐ OBJECTIONS TO OR ACCEPTANCE OF PSR DUE \_\_\_\_\_  
☒ Defendant is remanded to custody ☐ Defendant is released on existing bond  
(If defendant was on bond and is remanded, change location code to "LC.")  
Probation Officer Suzann Cross

Defendant attorney present at \_\_\_\_\_ a.m./p.m.  
Proceedings commenced 11:05 (a.m.)/p.m. concluded at 12:35 a.m./(p.m.)